



In the Matter of

**ASSISTANT SECRETARY OF LABOR FOR
OCCUPATIONAL SAFETY AND HEALTH,**

PROSECUTING PARTY,

and

BOBBY LEE KING,

COMPLAINANT,

v.

CBS REDI-MIX, INC.,

RESPONDENT.

ARB CASE NO. 97-006

(ALJ CASE NO. 96-STA-22)

DATE: October 16, 1996

BEFORE: THE ADMINISTRATIVE REVIEW BOARD^{1/}

NOTICE OF CASE CLOSING

This case, which arises under Section 405, the employee protection provision, of the Surface Transportation Assistance Act of 1982 (STAA), 49 U.S.C.A. § 31105 (1994), was forwarded to the Administrative Review Board (Board) by the Administrative Law Judge (ALJ) pursuant to 29 C.F.R. § 1978.109(a). The ALJ issued a Recommended Decision and Order (R. D. & O.) on September 30, 1996, which recommended approval of a settlement agreement. Pursuant to 29 C.F.R. § 1978.111(d)(2), the case may be settled if the participating parties agree to a settlement and such

^{1/} On April 17, 1996, a Secretary's Order was signed delegating jurisdiction to issue final agency decisions under this statute and the implementing regulations (29 C.F.R. Part 1978) to the newly created Administrative Review Board. Secretary's Order 2-96 (Apr. 17, 1996), Fed. Reg. 19978 (May 3, 1996). Secretary's Order 2-96 contains a comprehensive list of the statutes, executive orders, and regulations under which the Administrative Review Board now issues final agency decisions.

settlement is approved by the Secretary of Labor or the ALJ. Accordingly, the settlement is **APPROVED** and this case is **CLOSED**.

SO ORDERED.

DAVID A O'BRIEN
Chair

KARL J. SANDSTROM
Member

JOYCE D. MILLER
Alternate